

**DYKAS,
SHAVER &
NIPPER, LLP**

The Hoff Building
802 West Bannock, Suite 405
P.O. Box 877
Boise, Idaho 83701

Tele: 208-345-1122
Fax: 208-345-8370

Confidential and privileged.

Destroy if received in error.

Unauthorized use or disclosure is
prohibited.

**To: Office of Initial Patent
Examination's Filing Receipt
Corrections**

Fax Number: (703) 746-9195

From: Stephen M. Nipper

Date: March 18, 2005

Pages: 6
(including cover)

NOTES: _____

DYKAS, SHAVER & NIPPER, LLP**PATENT ♦ TRADEMARK ♦ COPYRIGHT ♦ INTERNATIONAL**

FRANK J. DYKAS **ROBERT L. SHAVER** **STEPHEN M. NIPPER** **DEREK H. MAUGHAN**
Registered Patent Attorney Registered Patent Attorney Registered Patent Attorney Registered Patent Attorney
frank@dykaslaw.com shaver@dykaslaw.com stephen@dykaslaw.com maughan@dykaslaw.com

March 17, 2005

Via Facsimile (703) 746-9195

Office of Initial Patent Examination's Filing Receipt Corrections

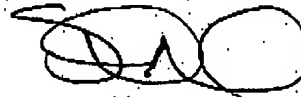
App Serial No. 10/758387

Re: REQUEST FOR CORRECTED FILING RECEIPT

Dear Sir or Madam:

Applicant has reviewed the filing receipt for the aforementioned patent application and has noticed that the filing receipt does not include a benefit claim. The application as filed included proper reference to the prior applications in the first sentence of the specification. Attached please find a Supplemental Application Data Sheet listing the correct Domestic Priority Information and a copy of the Filing Receipt. If you have any questions about this, please give me a call as soon as possible.

Best regards,



STEPHEN M. NIPPER
Registered Patent Attorney

SMN/shy
Enclosures

THE HOFF BUILDING ♦ 802 West Bannock St., Suite 405 ♦ Boise, Idaho 83702
P.O. Box 877 ♦ Boise, Idaho 83701-0877
(208) 345-1122 ♦ FAX (208) 345-8370 ♦ toll free (877) 611-1122
Visit us online at: www.dykaslaw.com



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENT
 P.O. Box 1450
 Alexandria, Virginia 22313-1150
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/758,387	01/14/2004	2859	770	LEVL107	30	17	3

CONFIRMATION NO. 5442

STEPHEN M. NIPPER
 DYKAS, SHAVER & NIPPER, LLP
 P.O. BOX 877
 BOISE, ID 83701

FILING RECEIPT



0C000000012447181

Date Mailed: 04/26/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Dane Scarborough, Hailey, ID;

Assignment For Published Patent Application

Irwin Industrial Tool Company, Huntersville, NC;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 04/24/2004

Projected Publication Date: 07/14/2005

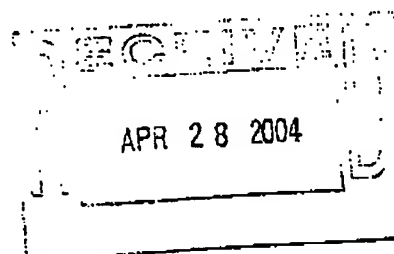
Non-Publication Request: No

Early Publication Request: No

Title

Tape measure that incorporates a wheeled marking device for applying a marking indicia

Preliminary Class



033

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).